

REMARKS

Claims 1-9, 19, and 22-23 were previously pending in the subject application. The Examiner has rejected all pending claims. In an effort to expedite the prosecution of the subject application and without conceding as to the substance of the rejections, Applicant has amended claims 1 and 6-7, and has cancelled claims 19 and 22-23, without prejudice or disclaimer of the subject matter contained therein. Accordingly, claims 1-9 are now pending in the subject application. Support for the amendments can be found at, for example, paragraph no. 31 of the subject application as filed. No new matter has been added.

As amended, claim 1 specifies that a first set of presentation settings, as specified by a first user, is coordinated with “a first attribute of said first user,” and that a second set of presentation settings, as specified by a second user, is coordinated with “a second attribute of said second user.” By coordinating the first set of presentation settings and the second set of presentation settings with respective attributes of the first user and the second user, subsequent playback of an audio/video program can be customized for the first user and the second user in accordance with their respective preferences. In particular, the first set of presentation settings is retrieved “based on said first attribute of said first user,” and is applied during subsequent playback of the audio/video program “for said first user,” while the second set of presentation settings is retrieved “based on said second attribute of said second user,” and is applied during subsequent playback of the audio/video program “for said second user.”

Applicant’s review of Sturgeon (U.S. Patent No. 6,064,385) did not identify any teaching or suggestion directed to the coordinating and retrieving features specified by claim 1. For example, the cited passages in Sturgeon discuss changing user preference values. *See* Abstract and col. 4, lines 20-31. However, Sturgeon fails to teach or suggest functionality to track which preference value should be coordinated with which user among multiple users. In contrast, claim 1 specifies coordinating and retrieving features based on respective attributes of multiple users, so that playback for one user can be customized based on one set of presentation settings, while playback for another user can be customized based on another set of presentation settings. The deficiencies of Sturgeon are not remedied by the teachings of the remaining cited references.

At least in view of the foregoing, Applicant respectfully submits that claim 1 and its dependent claims 2-9 define subject matter that is not taught or suggested by the cited references.

Summary


In view of the foregoing amendments and remarks, it is respectfully submitted that the subject application is in a condition for allowance. The Examiner is invited to contact the undersigned if there are any residual issues that can be resolved through a telephone call.

The Commissioner is hereby authorized to charge any appropriate fees to Deposit Account No. 50-1283.

Dated: February 13, 2009

Cooley Godward Kronish LLP
ATTN: Patent Group
777 – 6th Street, NW
Suite 1100
Washington, DC 20001
(202) 842-7800

Respectfully submitted,
COOLEY GODWARD KRONISH LLP

By: 
Cliff Z. Liu
Reg. No. 50,834